

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CARL ROSE,)	
)	Civil Action No. 07 - 411
Plaintiff,)	
)	Judge Arthur J. Schwab
v.)	
)	
LOUIS FOLINO, <i>Superintendent, S.C.I.</i>)	
<i>Greene</i> ; DAN DAVIS, <i>Grievance Coordinator</i> ;)	
MR. MORALES, <i>Property Lieutenant</i> ; B. A.)	
KIRBY, <i>R.H.U. Lieutenant</i> ; MR. SMITH,)	
<i>Correction Officer</i> ; MR. KING, <i>Correction</i>)	
<i>Officer</i> ; MR. H. STEPHENS, <i>Correction</i>)	
<i>Officer</i> ; MR. HENDERSON, <i>Correction</i>)	
<i>Officer; individually and in their official</i>)	
<i>capacities,</i>)	
)	
Defendants.)	

MEMORANDUM ORDER

The above captioned case was initiated on March 29, 2007, by the filing of a Motion to proceed *In Forma Pauperis* and was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

On August 21, 2007, Plaintiff filed a Motion for a Temporary Restraining Order/Preliminary Injunction (doc. no. 16). On October 12, 2007, the Magistrate Judge filed a Report and Recommendation (doc. no. 67), recommending that Plaintiff's Motion for a Temporary Restraining Order/Preliminary Injunction be denied. Plaintiff was served with the report and Recommendation and informed that he had ten days to file objections to the Report and Recommendation. No objections have been filed.

After review of the pleadings and documents in the case, together with the Report and Recommendations, the following order is entered:

AND NOW, this 8th day of November, 2007;

IT IS HEREBY ORDERED that Plaintiff's Motion for a Temporary Restraining Order/Preliminary Injunction (doc. no. 16) is **DENIED**.

IT IS FURTHER ORDERED that the Report and Recommendation (doc. no. 67) of Magistrate Judge Lenihan, dated October 12, 2007, is adopted as the Opinion of the Court.

By the Court:

s/Arthur J. Schwab

Arthur J. Schwab

United States District Judge

cc: Lisa Pupo Lenihan
United States Magistrate Judge

Carl Rose, EL-2814
SCI Greene
175 Progress Drive
Waynesburg, PA 15370